



Road Traffic Act 1991

1991 CHAPTER 40

PART I

GENERAL

Danger to road-users

6 Causing danger to road-users.

Before section 23 of the Road Traffic Act 1988 there shall be inserted—

“22A Causing danger to road-users.

- (1) A person is guilty of an offence if he intentionally and without lawful authority or reasonable cause—
 - (a) causes anything to be on or over a road, or
 - (b) interferes with a motor vehicle, trailer or cycle, or
 - (c) interferes (directly or indirectly) with traffic equipment,in such circumstances that it would be obvious to a reasonable person that to do so would be dangerous.
- (2) In subsection (1) above “dangerous” refers to danger either of injury to any person while on or near a road, or of serious damage to property on or near a road; and in determining for the purposes of that subsection what would be obvious to a reasonable person in a particular case, regard shall be had not only to the circumstances of which he could be expected to be aware but also to any circumstances shown to have been within the knowledge of the accused.
- (3) In subsection (1) above “traffic equipment” means—
 - (a) anything lawfully placed on or near a road by a highway authority;
 - (b) a traffic sign lawfully placed on or near a road by a person other than a highway authority;
 - (c) any fence, barrier or light lawfully placed on or near a road—

Status: Point in time view as at 01/07/1992.

Changes to legislation: There are currently no known outstanding effects for the Road Traffic Act 1991, Cross Heading: Danger to road-users. (See end of Document for details)

- (i) in pursuance of section 174 of the Highways Act 1980, section 8 of the Public Utilities Street Works Act 1950 or section 65 of the New Roads and Street Works Act 1991 (which provide for guarding, lighting and signing in streets where works are undertaken), or
 - (ii) by a constable or a person acting under the instructions (whether general or specific) of a chief officer of police.
- (4) For the purposes of subsection (3) above anything placed on or near a road shall unless the contrary is proved be deemed to have been lawfully placed there.
- (5) In this section “road” does not include a footpath or bridleway.
- (6) This section does not extend to Scotland.”

Commencement Information

II S. 6 wholly in force at 1.7.1992 see s. 84 and S.I. 1992/1286, art. 2, Sch.

Status:

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Danger to road-users.